

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

KAIA KHAMISI,	:	Case No. 1:18-cv-548
	:	
Petitioner,	:	Judge Timothy S. Black
	:	
vs.	:	Magistrate Judge Karen L. Litkovitz
	:	
WARDEN, OHIO REFORMATORY	:	
FOR WOMEN,	:	
	:	
Respondent.	:	

**DECISION AND ENTRY
ADOPTING THE REPORT AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE (DOC. 2)**

This case is before the Court pursuant to the Order of General Reference to United States Magistrate Judge Karen L. Litkovitz. Pursuant to such reference, the Magistrate Judge reviewed the pleadings filed with this Court and, on August 14, 2018, submitted a Report and Recommendation. (Doc. 2). Petitioner filed objections. (Doc. 3).

As required by 28 U.S.C. § 636(b) and Fed. R. Civ. P. 72(b), the Court has reviewed the comprehensive findings of the Magistrate Judge and considered *de novo* all of the filings in this matter. Upon consideration of the foregoing, the Court finds that the Report and Recommendation (Doc. 2) should be and is hereby adopted in its entirety.

The Magistrate Judge recommended that this petition be dismissed without prejudice, subject to refileing upon exhaustion of petitioner's state court remedies. (Doc. 2). Petitioner objected, arguing that state court remedies had been exhausted. (Doc. 3). However, since the filing of the objections, Petitioner continued pursuing state court

remedies. Petitioner then refiled a petition for writ of habeas corpus. *See Khamisi v. Neil*, No. 1:20-cv-286 (S.D. Ohio filed April 10, 2020).

Accordingly, Petitioner's objections are not well-taken. This action is dismissed without prejudice. Petitioner's refiled action remains pending.

Accordingly, for the reasons stated above:

1. The Report and Recommendation (Doc. 2) is **ADOPTED**;
2. The petition (Doc. 1) is **DISMISSED without prejudice**;
3. Petitioner's objections (Doc. 3) are **OVERRULED**; and,
4. The Clerk shall enter judgment accordingly, whereupon this case is **TERMINATED** from the docket of this Court.

IT IS SO ORDERED.

Date: 5/3/2021

s/Timothy S. Black
Timothy S. Black
United States District Judge